

REMARKS

This Reply is in response to the Office Action mailed on June 24, 2004 in which Claims 1-22 were rejected. With this Reply, Claims 1, 3, 4 and 10 are amended and Claims 23-33 are added. Claims 1-33 are presented for reconsideration and allowance.

I. Examiner Interview Summary.

On August 12, 2004, a telephonic interview was held between Examiner Bollinger and Applicant's attorney, Todd A. Rathe. The rejection of Claims 1, 3, 10, 16 and 22 under 35 U.S.C. § 112, second paragraph, was discussed. It was agreed upon that Claims 1, 3 and 10, as amended above, overcome the rejection under 35 U.S.C. § 112.

During the interview, added Claims 23-33 were also discussed. It was tentatively agreed upon that Claims 23-33, are patentably distinct over the prior art of record. In particular, it was agreed upon that the prior art of record fails to disclose first and second media driving surfaces and a barrier that is movable between a first position in which the barrier is adapted to extend between a first sheet and a second sheet while the first sheet and the second sheet are simultaneously received between the driving surfaces and a second position in which the barrier is removed from between the first sheet and the second sheet. During the interview, the Examiner requested that the specification be amended to specifically recite the term "media driving surface". As noted during the Examiner interview, a media driving surface comprises any surface configured to drive or move a medium such as rollers, belts and the like. In the exemplary embodiment, the driving surfaces are provided by rollers. Per the request of the Examiner, paragraph 23 is amended to specifically recite retractable pinch roller 21 provides a pair of media engaging and driving surfaces. Since pinch roller 21 described in the application discloses such a pair of media engaging and driving surfaces, no new matter is believed to have been added.

With respect to Claim 27, the Examiner raised concern regarding the recitation of "a second barrier". Applicant respectfully notes that the specification describes and provides support for "a first barrier" and "a second barrier". In particular, paragraph 35 recites "Although FIGURE 2 illustrates sheet barrier 10 having two barriers and two openings, other numbers of barriers and openings may be used."

Applicant wishes to thank Examiner Bollinger for the opportunity to discuss the rejections and for Examiner Bollinger's suggestions for amending the claims to overcome the rejections.

II. Rejection of Claims 1-22 Under 35 U.S.C. § 112, Second Paragraph.

Paragraph 2 of the Office Action rejected Claims 1-22 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. As noted above, during the Examiner interview held on August 12, 2004, it was agreed upon that Claims 1, 3 and 10, as amended, overcome the rejection under 35 U.S.C. § 112, second paragraph.

With respect to Claim 16, in the Office Action it was asserted that it would appear to be inaccurate to define rotating the barrier material as the barrier material is supported on rotating elements is an endless belt arrangement. The Office Action further asserted that it appears to be inaccurate to recite "rotating said at least one opening" in that the motion of the gaps appear to be a translation along one of the runs of the endless arrangement. Applicant respectfully requests that the rejection of Claim 16 be withdrawn. The barrier material and the at least one opening in the example embodiment are both part of a belt. The belt (and therefore the barrier material and the at least one opening) rotate about the rotating elements. Accordingly, Applicant requests that the rejection of Claim 16 be withdrawn.

With respect to Claim 22, the Office Action asserted that it not understood what constitutes a "multifunction unit". Applicant respectfully notes that a "multifunction unit" comprises a unit configured to perform multiple functions.

Paragraph 16 of the specification states that the duplexer "may be within a printer, a scanner, a fax or other kind of printing or multifunction device." Thus, a multifunction device or unit is a device which performs multiple functions such as printing, scanning, faxing and the like. Applicant respectfully notes that one of ordinary skill in the art would understand the term "multifunction unit". Thus, Applicant respectfully requests that the rejection of Claim 22 under 35 U.S.C. § 112, second paragraph, be withdrawn.

III. Added Claims.

With this response, Claims 23-33 are added. As noted above, during the Examiner interview held on August 12, 2004, it was tentatively agreed upon that Claims 23-33 are patentably distinct over the prior art of record. In particular, the prior art fails to disclose a media handling system having a pair of media driving surfaces and a barrier that is movable between a first position in which the barrier is adapted to extend between a first sheet and a second sheet while the first sheet and the second sheet are simultaneously received between the pair of media driving surfaces and a second position in which the barrier is removed from between the first sheet and the second sheet. Similarly, the prior art of record also fails to disclose a duplexing method wherein a barrier is moved between a first position in which the barrier is between a first sheet and a second sheet while the first sheet and the second sheet are simultaneously received between a first media driving surface and a second media driving surface and a second position in which the barrier is removed from between the first sheet and the second sheet. Claims 23-33 are believed to be patentably distinct over the prior art of record and are presented for consideration and allowance.

IV. Conclusion.

After amending the claims as set forth above, claims 1-33 are now pending in this application.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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